



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

May 11, 2010

The Honorable Ken Bennett
Secretary of State
1700 W. Washington
Phoenix, Arizona 85007

RE: Senate Bill 1154 (underground storage tanks)

Dear Secretary Bennett:

Today I vetoed Senate Bill 1154. The bill sought to extend the dates to apply for reimbursement from the State Assurance Fund program by owners of leaking underground storage tanks. The bill also contained a provision that would prohibit any appropriation from the Assurance Fund to the State General Fund. Both the extension of the Underground Storage Tank Program and the prohibition of appropriations of money from the fund need further discussion.

Owners of leaking underground storage tanks have known for several years that June 30, 2010 was the deadline to submit an application to be eligible for potential state repayment of cleanup costs. While I am open to the idea of potentially extending the application period for reimbursement of qualified expenditures, I am concerned about the delays in the program and whether the remaining resources will cover the potential additional costs. To that end, I am instructing the Department of Environmental Quality to review the entire program structure and provide recommendations on whether or not the program should be extended; and if extended, for how long and in what format.

In addition, the prohibition on appropriating State Assurance funds to the General Fund disrupts the FY 2011 budget. While I support using collected funds for their intended purpose, in this case, the use of these funds was part of the balanced FY 2011 budget. Since no replacement funds are identified, I feel compelled to veto the bill.

Sincerely,

A handwritten signature in cursive script that reads "Janice K. Brewer".

Janice K. Brewer
Governor

cc: The Honorable Robert Burns
The Honorable Kirk Adams
The Honorable Steve Pierce

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

SENATE BILL 1154

AN ACT

AMENDING SECTIONS 49-1015.01 AND 49-1052, ARIZONA REVISED STATUTES; AMENDING LAWS 2004, CHAPTER 273, SECTIONS 8 AND 9; AMENDING LAWS 2010, SEVENTH SPECIAL SESSION, CHAPTER 7, SECTION 3; RELATING TO UNDERGROUND STORAGE TANKS.

(TEXT OF BILL BEGINS ON NEXT PAGE)